

Janet Napolitano
Governor

Robert J. Maynard, O.D.
President

Robert B. Pinkert, O.D.
Vice President



Arizona State Board of Optometry
1400 West Washington, Suite 230
Phoenix, AZ 85007

Jack Confer
Executive Director

Telephone (602) 542-8155 • Fax (602) 542-3093

**MEETING NOTICE AND AGENDA FOR REGULAR SESSION MEETING
MAY 21, 2004 SCHEDULED TO COMMENCE AT 9:00AM**

Americans with Disabilities Act: Persons with disabilities may request reasonable accommodations by contacting the Arizona State Board of Optometry (ASBOO) Executive Director, Jack Confer, at (602) 542-8155. Requests should be made as early as possible to allow time to arrange the accommodation.

Pursuant to A.R.S. § 38-431.02, notice is hereby given to the general public and to the members of the Arizona State Board of Optometry, that a regular meeting, open to the public, will be held on May 21, 2004 at 9:00AM. The meeting will be held at 1400 West Washington, B-1 (Basement) in Phoenix, AZ. For further information regarding agenda material, please contact Margaret Whelan, Licensing Administrator, at (602) 542-8164.

The Board reserves the right to change the order of items on the agenda, except for public hearings set for a specific time. Please note that any recommendations listed on the agenda are merely suggested Board actions.

These recommendations do not become final until adopted by the Board. The Board has the authority to accept, reject or modify any recommendation listed on the agenda.

Board Members

Robert J. Maynard, O.D., President
Robert B. Pinkert, O.D., Vice President
Caroline Griego, O.D.
Christina M. Sorenson, O.D.
Curtis R. Winkler, M.D.
Lawrence Ponemon, PhD

Staff:

Jack Confer, Executive Director
Margaret Whelan, Licensing Administrator

Legal Counsel:

Blair Driggs, Assistant Attorney General

- | | |
|-------------------------------|--------------------|
| A. CALL TO ORDER: | Dr. Maynard |
| B. ROLL CALL: | Ms. Whelan |
| C. PRESIDENT'S REPORT: | Dr. Maynard |

D. FORMAL HEARING:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

- 26. ASBOO vs. Tim Takeoka, O.D., Docket# 04-200243-OBA
- 27. ASBOO vs. Coastal Contacts, Docket# 04-200339-OBA

E. REVIEW, DISCUSSION AND VOTE ON INVESTIGATION REVIEWS/COMPLAINTS:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). In addition, the board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

- 28. L.C. vs. Robert H. Mulgrew, O.D., IR#200409 [Dr. Maynard]
- 29. ASBOO vs. Contact Lens Etc. & American Lens Corporation, IR#200259 [Mr. Confer]
- 30. K.D. & L.D. vs. Nimesh Patel, O.D., IR#200408 [Dr. Pinkert]
- 31. J.P. vs. Amy R. Crump, O.D., IR#200407 [Dr. Maynard]
- 32. M.S. vs. Stephen D. Philips, O.D., IR#200411 [Dr. Griego]
- 33. ASBOO vs. Dr. Jose Salazar, IR#200318 [Mr. Confer]

F. REVIEW, DISCUSSION, AND POSSIBLE ACTION ON APPROVAL OF CONTINUING EDUCATION AS PROVIDED BY A.R.S. § 32-1704 (D) and A.A.C. R4-21-208.

The Board may hold an executive session to receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Fiscal Year 2003/2004

	Continuing Education	Date	No. of hours requested
a.	Optometric Management April '04-Vistakon-Avoiding Contact Lens Dropouts	Correspondence	2 Correspondence
b.	VISX/Nationwide Vision-Wavefront Technology: Diagnosis and treatment options for refractive surgery patients	3/23/04	2 Regular
c.	Ohio Optometric Association-East West Eye Conference 2004	10/14-10/17/04	158 Regular 11 PM
d.	American Optometric Association-107th Annual AOA Congress & 34th Annual AOSA Conference	6/23-6/27/04	181 Regular 6 PM

G. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING REGULAR LICENSE APPLICATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Schell, Dale

H. REVIEW, DISCUSSION AND POSSIBLE BLOCK VOTE ON PENDING ENDORSEMENT LICENSE APPLICATION:

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

Kleinman, Ronald
Kluka, Andrew
Simone, Carl
Williams, Joe

I. REVIEW, DISCUSSION AND POSSIBLE APPROVAL OF BOARD MEETING MINUTES.

The Board may hold an executive session to discuss records exempt by law from public inspection pursuant to A.R.S. § 38-431.03 (A) (2). The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

- 34. April 16, 2004, Regular Meeting Minutes
- 35. April 16, 2004, Executive Session Minutes

J. EXECUTIVE DIRECTOR'S REPORT:

The board may hold an executive session to discuss or consult with its' attorney and receive legal advice pursuant to A.R.S. § 38-431.03 (A) (3).

- 36. Budget Report (Information Only)
Budget Summary Report
- 37. Board Statistics (Information Only)
- 38. Annual Summary of Board Activity for ARBO (Possible Discussion)
- 39. Summary of Investigative Reviews (Possible Discussion)
- 40. Board Correspondence (Possible Discussion)
- 41. Board Member Re-appointments (Possible Discussion)
- 42. Board Member Conflict of Interest Disclosure Statement (Possible Discussion)
- 43. Legislation Update

K. CALL TO PUBLIC:

Dr. Maynard

Those wishing to address the Board need not request permission in advance; however, the Board may limit time of those persons speaking during the Call to the Public. Pursuant to A.R.S. § 38-431.02 (H), the Board can only take action on matters listed on the agenda. If appropriate, actions on public comment matters that are not listed on the agenda will be limited to directing staff to study the matter or schedule the matter for further discussion at a later date.

L. NEW BUSINESS, FUTURE AGENDA ITEMS AND OR DISCUSSION ITEMS:

END OF AGENDA:

Jack Confer, Executive Director

Date